

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 ESTATE OF ADAM CHRISTOPHER JENSEN, CASE NO. CV20-1320-JCC
10 by the Personal Representative Paula Dow, *et al.*,

11 Plaintiffs,

12 v.

13 COUNTY OF SNOHOMISH, *et al.*,

14 Defendants.

MINUTE ORDER

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16 The following Minute Order is made by direction of the Court, the Honorable John C.
17 Coughenour, United States District Judge:

18 This matter comes before the Court *sua sponte*. Presently before the Court is the
19 Snohomish County Defendants' motion for partial summary judgment (Dkt. No. 37). In their
20 reply brief, the County Defendants argue that, for purposes of creating a genuine issue of fact,
21 the sham affidavit rule precludes Plaintiff's reliance on a declaration from Isabel Craig
22 seemingly contradicting her earlier sworn statement that Adam Jensen had a knife "in his hand
23 . . . in the hall" prior to his death. (*See* Dkt. No. 62 at 6–10; *compare* Dkt. No. 47 at 7, *with* Dkt.
24 No. 55 at 23.) Because Plaintiff has not had an opportunity to respond to this argument, the Court
25 seeks supplemental briefing.

26 Plaintiff may file a brief, not to exceed five (5) pages, addressing why the sham affidavit

1 rule should not apply to the portion of Ms. Craig's affidavit that discusses whether she saw a
2 knife in Mr. Jensen's hand when he entered the hall prior to his death. The brief is due no later
3 than May 21, 2021. The Snohomish County Defendants may file a response brief, not to exceed
4 three (3) pages, no later than May 26, 2021.

5 The Clerk is DIRECTED to renote the County Defendants' motion for partial summary
6 judgment (Dkt. No. 37) to May 26, 2021.

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8 DATED this 13th day of May 2021.

9 William M. McCool
10 Clerk of Court

11 s/Paula McNabb
12 Deputy Clerk
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